

### **WARRANTY DEED OF SWAP AND EXCHANGE**

WHEREAS, H. Kirk Moore, Jr. through the Carole C. Moore Non-Exempt Marital Trust owns approximately fifty (50) acres of land in Section 32, Township 2 South, Range 8 West, DeSoto County, Mississippi; and

WHEREAS, Gerald W. Chatham and his wife, Kathy R. Chatham, own an undivided one-fourth (1/4) interest in approximately two hundred three (203) acres of land located in Section 5, Township 6 South, Range 7 West, Tate County, Mississippi; and

WHEREAS, all parties believe the DeSoto County property and the Tate County property are of approximate equal value; and

WHEREAS, all parties desire to swap and exchange the approximately fifty (50) acre tract in DeSoto County for one fourth (1/4) undivided interest in the Tate County property with no boot whatsoever; and

WHEREAS, for the year 2007 the parties have decided to pro-rate the income off of the approximate fifty (50) acre tract of land and the income off of the one fourth (1/4) undivided interest in the approximate two hundred three (203) acre tract of land and including but not limited to the CRP income off of the approximate fifty (50) acre tract and any income pertaining to the one-fourth (1/4) interest in the approximate two hundred three (203) acre tract including but not limited to the income from the tower leased by Crown Castle and any other government payments on the approximately two hundred three (203) acres:

NOW, THEREFORE, FOR AND IN CONSIDERATION of Gerald W. Chatham and Kathy R. Chatham conveying to the Carole C. Moore Non-Exempt Marital Trust which is owned by H. Kirk Moore, Jr. their one-fourth (1/4) undivided interest in all of the land owned by them in Section 5, Township 6 South, Range 7 West, Tate County, Mississippi and including the tower and land on which it sits and the lease held by Crown Castle on the tower property (meaning to describe one-fourth (1/4) of approximately two hundred three (203) acres, more or less,) I, H. Kirk Moore, Jr., as Trustee and owner of the Carole C. Moore Non-Exempt Marital Trust, do hereby SWAP, EXCHANGE, CONVEY AND WARRANT unto GERALD W. CHATHAM and wife, KATHY R. CHATHAM, as tenants by the entirety with full rights of survivorship and not as tenants in common, the following described real property with improvements thereon located

Chatham

and situated in DeSoto County, Mississippi and described as follows:

**PARCEL 4**

DESCRIPTION OF TRACT 8 CONTAINING 49.72 ACRES AS PART OF THE CHATHAM PROPERTY IN PART OF THE SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 32, TOWNSHIP 2 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI.

Beginning at the southeast corner of Section 32, Township 2 South, Range 8 West, thence north 0 degrees 47' 50" west 983.82 feet along the east line of said section to a point on the north right of way of Ms. Highway 304; thence north 0 degrees 47' 50" west 864.57 feet along the east line of said section to the northeast corner of tract 9 and the point of beginning of the following lot: thence north 0 degrees 47' 50" west 1021.0 feet along said east section line to a point; thence south 88 degrees 07' 20" west 2121.37 feet to a point; thence south 0 degrees 47' 50" east 1021.00 feet to a corner of tract 10; thence north 88 degrees 07' 20" east 2121.37 feet to the point of beginning and containing 49.72 acres more or less. All bearings are true north. SUBJECT TO TWENTY-FIVE (25) FOOT PERMANENT AND PERPETUAL RIGHT OF WAY AND EASEMENT ALONG THE WEST SIDE OF THIS LOT.

The Grantor herein does specifically convey to Gerald W. Chatham and Kathy R. Chatham all of his interest as to the DeSoto County property described above including but not limited to the CRP payments and any other payments which may be payable by the Federal Government to the owner of said land whether CRP payment or otherwise beginning with the crop year and/or calendar year 2008. The income for the year 2007 whether CRP payments or otherwise shall be pro-rated for the year 2007 as of the date of this Deed.

The Grantor is conveying to Grantees all minerals and mineral rights owned by him but Grantor is not conveying any minerals or mineral rights which may have been heretofore retained by any predecessor in title.

Possession is delivered with this Deed. All parties covenant and warrant that there are no liens or encumbrances on either the DeSoto County property being conveyed or the Tate County property being conveyed with the exception of the 2007 tax liens which shall be prorated.

The Grantees herein by accepting delivery and recording this Deed do hereby accept the CRP program presently in effect on the above described property and agree to abide by all of the rules and regulations pertaining to the requirements of the government and they agree to hold harmless the Grantor from any responsibility or liability resulting from their failure to complete

the program and/or abide by the governmental rules and regulations pertaining to the program.

Witness my signature of this the 22<sup>nd</sup> day of August, 2007.

CAROLE C. MOORE NON-EXEMPT MARITAL TRUST

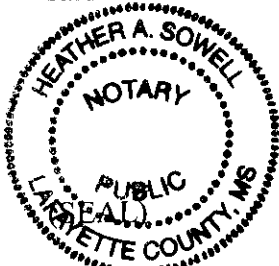
By: H. Kirk Moore, Jr.  
H. Kirk Moore, Jr., Trustee

H. Kirk Moore, Jr.  
H. Kirk Moore, Jr., Individually

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STATE OF MISSISSIPPI  
COUNTY OF TATE

PERSONALLY APPEARED before me, the undersigned authority in and for the state and county aforesaid, the within named, H. Kirk Moore, Jr. as the Trustee of the Carole C. Moore, Non-Exempt Marital Trust and individually, who did acknowledge to me that he executed and delivered the above and foregoing Warranty Deed of Swap and Exchange on the day and year therein mentioned as his free and voluntary act and deed and for and on behalf of said Trust and individually and that he was duly authorized, qualified and empowered so to do.



This the 22 day August, 2007  
Heather A. Sowell  
Notary Public

My Commission Expires: 2/13/2009.

**ADDRESS OF GRANTOR:**

216 A. Ward Avenue South  
Senatobia, MS 38668  
Telephone: (662) 560-5858  
(662) 562-8091

**\* ADDRESS OF GRANTEES:**

580 Fogg Road North  
Nesbit, MS 38651  
Telephone: (662) 429-4752  
(662) 429-9871

Please Index in the Southeast Quarter and the Northeast Quarter of Section 32, Township 2 South, Range 8 West in Desoto County, Mississippi.

Prepared by:

H. KIRK MOORE, JR.  
216 A Ward Avenue South  
Senatobia, MS 38668  
Telephone: (662) 560-5858  
MSB No.: 3444